



IFW

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/683,952
	Filing Date	9 Oct 2003
	First Named Inventor	SHERRILL
	Art Unit	not yet assigned
	Examiner Name	not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	010072.02

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 50-2544.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gary W. Ashley, Reg. 51,418
Signature	
Date	November 15, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Nancy Impey		
Signature		Date	November 15, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop: _____ Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/683,952
Applicant : Michael Sherrill and Robert Johnson
Filed : October 9, 2003
Title : THERAPEUTIC FORMULATIONS

TC/A.U. : not yet assigned
Examiner : not yet assigned

Docket No. : 010072.02

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97 and §1.98

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A form are being called to the attention of the Examiner. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom. Copies of the non-US patent references are enclosed.

As provided for by 37 CFR §1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be, material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's

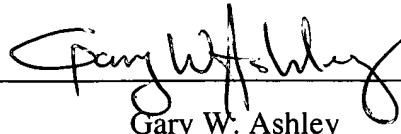
Appl. No. 10/683,952
IDS Dated November 15, 2004

Deposit Account No. 50-2544. Please deduct any fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Dated: 15 November 2004

By: _____

A handwritten signature in black ink, appearing to read "Gary W. Ashley", written over a horizontal line.

Gary W. Ashley
Reg. No. 51,418
Kosan Biosciences, Inc.
3832 Bay Center Place
Hayward, CA 94545
Phone: (510) 731-5215
Fax: (510) 731-5101

Sheet 1 of 1

Form PTO-1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket No. (optional) 010072.02	Application Number: 10/683,952
	Applicant: SHERRILL	
	Filing Date: 9 Oct 2003	Group Art Unit: nya

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No. ¹	Document Number	Date	Name	Class	Sub-class	Filing Date if Appropriate
	AA	6,683,100	01-27-2004	Van Hoogevest			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No. ¹	Document Number	Date	Country	Class	Sub-class	Translation Enclosed?
		WO 99/42602	09-29-1999	PCT			yes

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initial	Cite No. ¹	Details of Document	Translation enclosed?
		Stephen R.D. Johnston, "Exemestane," <i>Current Opinion in Oncologic, Endocrine, & Metabolic Investigatioanal Drugs</i> (1999) 1(5): 560-572; ABSTRACT	yes

Examiner	Date considered
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

¹ Applicant's unique citation designation number (optional).